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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

PHILIPS MEDICAL CAPITAL, LLC,

Plaintiff,

No. C 06-04470 JSW

v.

MEDICAL INSIGHTS DIAGNOSTICS
CENTERS, INC., et al.,

**ORDER SETTING BRIEFING
SCHEDULE**

Defendants.

AND RELATED CROSS COMPLAINT

This matter is set for hearing on December 15, 2006, on Plaintiff and Cross-Defendant Phillips Medical Capital, LLC's motion to dismiss counterclaim. The Court HEREBY ORDERS that Defendants' opposition shall be due by October 10, 2006. Plaintiff's reply shall be due by October 17, 2006.

If the Court determines that the matter is suitable for resolution without oral argument, it will so advise the parties in advance of the hearing date. If the parties wish to modify this schedule, they may submit for the Court's consideration a stipulation and proposed order demonstrating good cause for any modification requested.

IT IS SO ORDERED.

Dated: September 25, 2006

Jeffrey S. White
JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE